

#### **CERTIFICATE OF MAILING**

Attorney Docket No

A3316-US-NP

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<u>on</u>

10/28/2005

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Christopher L. Chua

Group Art Unit: 2828

Application No.: 10/625,811

Examiner: Tuan N. Nguyen

Filed: July 23, 2003

Confirmation No.: 7775

For: PHASE ARRAY OXIDE-CONFINED VCSELS

Mail Stop: Amendment **Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) and information listed on the attached PTO-1449 Form. One legible copy of each is attached to the PTO-1449 Form, except for U.S. Patents, or published or IFW (Image File Wrapper) available U.S. applications. It is respectfully requested that the references and information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of the above application (excluding an RCE), **OR** (b) before the mailing date of a first Office Action on the merits (including an RCE). No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the date of the first Office Action on the merits, but before the mailing date of a Final Rejection, Notice of Allowance, or other action that closes prosecution. Please debit Xerox Corporation Deposit Account 24-0025 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). (A copy of this paper is attached.)
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance; AND
  - a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); (OR)

Application No. 10/625,811

	b. I hereby certify that <u>no</u> item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c), <u>more than three months</u> prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2)
4.	This Information Disclosure Statement is being filed <u>after</u> the mailing date of a Final Rejection or Notice of Allowance, but <u>before</u> the payment of the Issue Fee. Please debit Xerox Corporation Deposit Account 24-0025 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p) (A copy of this paper is attached); AND
	<ul> <li>a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); (OR)</li> <li>b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2)</li> </ul>
5.	Per 37 C.F.R. 1.98(a)(3), a concise explanation of the relevance of each of any submitted item that is NOT in the English language is either enclosed herewith, or incorporated in the application specification.
6.	A copy of an English language version of an above-referenced counterpart foreign application search report is attached.
7.	Copies of some or all of the subject references were cited or submitted to the Office in related parent Application No. , filed , which is relied upon under 35 U.S.C. §120. Thus, copies of those references are not attached (except for copies of cited pending applications). 37 C.F.R. §1.98(d).

Kent M. Chen

Signature under 37 CFR 1.33 & 34

Registration No. 39,630

Telephone No. 714-565-1158

Date October 28, 2005

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

	Complete if Known	
Application Number	10/625,811	<del></del>
Filing Date	7/23/2003	
First Named Inventor	Christopher L. Chua	
Art Unit	2828	
Examiner Name	Tuan N. Nguyen	
Attorney Docket Number	A3316-US-NP	

			U.S. Pa	tent Documents	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
				- PP	Figures Appear
		US-2001/0028667 A1	10/11/2001	Kaneko	
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			Foreign F	Patent Documents		
Examiner	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
Initials*		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (If known)				
		WO 02/089272 A1	04/25/2002	Photodigm		T <sub>X</sub>
		EP 1 225 669 A1	07/24/2002	Avalon Photonics, Ltd.		X
			<u> </u>			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation description number (optional). <sup>2</sup> See Kinds of Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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First Named Inventor	Christopher L. Chua	
Art Unit	2828	
Examiner Name	Tuan N. Nguyen	-
Attorney Docket Number	A3316-US-NP	

		Non Patent Literature Documents	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		HUFFAKER, D. L., ET AL.: Fabrication of High-Packing-Density Vertical Cavity Surface-Emitting Laser Arrays Using Selective Oxidation, IEEE Photonics Technology Letters, IEEE, Inc., May 1, 1996, Pages 596-598, Vol. 8., No. 5	
		DEPPE, D. G., ET AL: Phase-Coupled two-Dimensional ALXGA1-XAS-GAAS Vertical-Cavity Surface-Emitting Laser Array, Applied Physics Letters, American Institute of Physics, May 21, 1990, Pages 2089-2091, Vol. 56, No. 21	
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Examiner Signature		Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation description number (optional). <sup>2</sup> Applicant is to place a check mark here if English Translation is attached.